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L A W Y E R S

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,¹

USA Capital Diversified Trust Deed Fund,
LLC,

USA Capital First Trust Deed Fund, LLC,²

USA Securities, LLC,³

Debtors.

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**DECLARATION OF JOHN
HINDERAKER IN SUPPORT OF
NUNC PRO TUNC MOTION TO
FURTHER EXTEND DEADLINE TO
FILE OBJECTION TO
ALLOWANCE OF CLAIMS; AND
CERTIFICATE OF SERVICE**

Date: November 18, 2008
Time: 9:30 a.m.

I, John Hinderaker, hereby declare under penalty of perjury that:

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 26, 2007.

LEWIS
AND
ROCA
LLP
LAWYERS

1 I am a partner with Lewis and Roca LLP who represents the USACM Liquidating
2 Trust in this matter.

3 I submit this declaration on behalf of the Nunc Pro Tunc Motion to Further Extend
4 Deadline to File Objection to Allowance of Claims (the "Motion") [DE 3582] filed by the
5 USACM Liquidating Trust (the "USACM Trust"), as successor to USA Commercial
6 Mortgage Company ("USACM").

7 I make the following declaration based upon my personal knowledge,
8 I have been in charge of preparing objections to the allowance to claims in this
9 case.

10 The failure to timely move to extend the deadline to file objections to the allowance
11 of claims is due in part to a serious family medical emergency that arose for me.

12 I make this declaration under penalty of perjury of the laws of the United States of
13 America on October 23, 2008.

14 By s/John Hinderaker
15 John Hinderaker

16
17 Copy of the foregoing served on October
18 23, 2008, via e-mail to all parties listed
19 on the Post Effective Date Service List
20 on file with this Court:

21 /s/ Renee Creswell
22 Renee Creswell
23 Lewis and Roca LLP
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